

AGENDA ITEM



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel Relative to the Environmental Abatement Program Litigation and Other Various Cases being Handled by Outside Counsel (\$24,952.91), and Approval of Special Allocation Covering General Litigation Matter Expenses (\$11,553.61)

MEETING DATE: March 2, 2005 City Council Meeting

PREPARED BY: Steve Schwabauer, City Attorney

RECOMMENDED ACTION: That the City Council approve for payment expenses for various cases being handled by Outside Counsel in the total amount of \$24,952.91, and approve Special Allocation for General Litigation Matter Expenses in the amount of \$11,553.61 to be paid from the General Fund.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Kronick, Moskovitz, Tiedemann & Girard that were incurred relative to the Environmental Abatement Program litigation and various other cases that are currently outstanding and need to be considered for payment for the month of October 2004. These invoices were apparently overlooked when other invoices were paid. A Special Allocation is required for those matters that are not to be paid out of the Water/Wastewater accounts (\$11,553.61).

Kronick, Moskovitz, Tiedemann & Girard

Matter No./Description	Coverage Period	Invoice No.	Amount
11233.001 General Advice	Through 10/25/04	216546	\$ 250.62*
11233.009 Rogers v. County of San Joaquin, et al.	Through 10/25/04	216546	\$ 5,358.73*
			Less (400.00)
11233.010 Phelps v. City of Lodi et al.	Through 10/25/04	216546	\$ 7,044.26*
			Less (700.00)
11233.014 Fireman's Fund (#04-15136)	Through 10/25/04	216546	\$ 90.00
11233.016 Hartford Litigation	Through 10/25/04	216546	\$ 19.00
11233.017 M&P Investments	Through 10/25/04	216546	\$ 52.36
11233.022 Sphere of Influence-White Slough	Through 10/25/04	216546	\$ 748.50
11233.023 City of Lodi v. City of Stockton	Through 10/25/04	216546	\$ 10,209.46
11233.024 Stockton Family Farmers Coalition	Through 10/25/04	216546	\$ 1,678.18
11233.025 City of Stockton v. City of Lodi	Through 10/25/04	216546	\$ 601.80
			\$ 24,952.91

* Requires Special Allocation for payment from General Fund.

FUNDING: Water \$ 6,699.65
Wastewater \$ 6,699.65
General Fund \$11,553.61

Stephen Schwabauer
City Attorney

Approved:

Jim Krueger, Finance Director

APPROVED:

Blair King, City Manager